

ATTACHMENT “B”



HOUSE OF REPRESENTATIVES
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SECOND REGULAR SESSION, 2004

PUBLIC LAW NO. 14-29

H. B. NO. 14-020, HS1, SS1, CD1

UNACI

To amend §§ 3(d) and 4(e), 9, and 14 of Public Law 13-17, as amended.

In the HOUSE OF REPRESENTATIVES

Introduced by Representatives: Janet U. Maratita,
Benigno R. Fitiaf, Jesus SN. Lizama, Claudio K. Norita, Crispin M. Ogo,
Arnold I. Palacios, Justo S. Quitugua, Timothy P. Villagomez, and Ray N. Yumul

Date: February 9, 2004

Referred to: Committee on Natural Resources
Public Hearing: None
Standing Committee Report: SCR 14-67

Passed First and Final Reading on June 11, 2004
Rejected Senate Amendments on August 19, 2004
Conference Committee Report No. 14-3
Adopted Conference Amendments on September 9, 2004

In the SENATE

Referred to: Committee on Resources, Economic Development and Programs
Public Hearing: None
Standing Committee Report: None

Passed Final Reading July 8, 2004
Conference Committee Report No. 14-3
Adopted Conference Amendments on September 14, 2004

ATTACHMENT "B"
Evelyn C. Fleming, House Clerk

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HOUSE OF REPRESENTATIVES
FOURTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 2004

PUBLIC LAW NO. 14-29
H. B. No. 14-20, HS1, SS1, CD1

AN ACT

To amend §§ 3(d) and 4(e), 9, and 14 of Public Law 13-17, as amended.

**BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE:**

Section 1. Amendments.

(a) Section 4(e) of Public Law 13-17, as amended by PL 13-39, is amended to read as follows:

“(e) In implementing this Act, the Marianas Public Land Authority shall compensate the acquisition of private lands for right of way purposes, including but not limited to public road construction, construction of ponding basins, wetland, and other claims involving private land acquisition permitted by applicable laws.”

(b) Section 9 of Public Law No. 13-17, as amended by P.L. No. 13-25, is amended as follows:

“Section 9. Method for Valuation of Land. For purposes of this Act, land owners shall receive just compensation based on the fair market value of the land at the time of taking by the Commonwealth which is the date when the Governor or other authorized government official certifies in writing the need for the acquisition of the private land.”

(c) Section 3(d) of PL 13-39 is amended as follows:

“(d) Transfer of Bond Proceeds to MPLA. After satisfying any commission or fee, costs of issuance, reserves, credit enhancement, interim bond financing or other similar expenses, and after transferring the requisite

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amount for the Commonwealth prison project to the Department of Finance for deposit into an account for the project, the CDA-appointed trustee, pursuant to Public Law 11-3, shall retain the remaining balance of the bond proceeds. The trust funds and earnings thereof are hereby continuously appropriated solely for the purpose of paying out land compensation claims and to meet reasonable expenses of administering the purposes of this act, such expenses limited to obtaining appraisals, title searches and conducting administrative hearings, subject to conditions necessary to maintain tax exemption of the bonds or any interim financing. The Commissioner of MPLA shall have expenditure authority over the funds in the account subject to approval of claims by the Board. Such funds shall be drawn down from the trustee based upon procedures established by the MPLA Board and upon the concurrence of the Secretary of Finance."

(d) Section 14 of PL 13-17, as amended by PL 13-39, is amended as follows:

"Section 14. Funding. Notwithstanding any provision of law, the Board of Public Lands shall utilize the bond proceeds from the trust funds and earnings thereof established under Section 4(d) herein to meet reasonable past, present and future expenses of administering the purposes of this act, limited to obtaining appraisals, title searches and for conducting administrative hearings and review pursuant to this Act."

Section 2. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 3. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law.

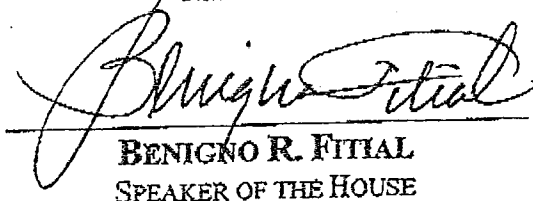
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1 The enactment of the Act shall not have the effect of terminating, or in any way modifying,
2 any liability, civil or criminal, which shall already be in existence on the date this Act
3 becomes effective.

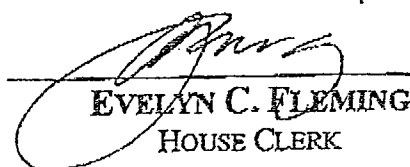
4 Section 4. Application of Section 1(b). Section 1(b) of this Act shall apply to all
5 pending claims subject to compensation under Public Law 13-17, as amended.

6 Section 5. Effective Date. This Act shall take effect upon its approval by the
7 Governor or becoming law without such approval.

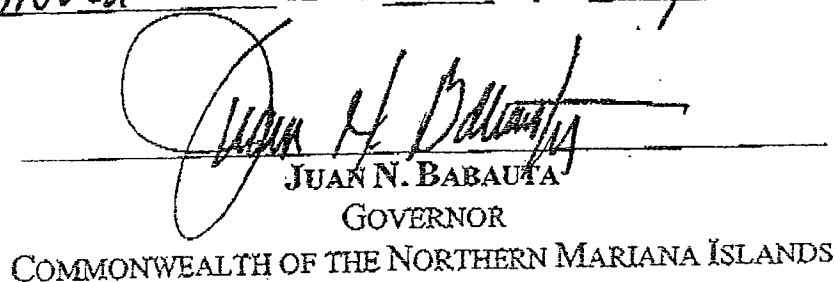
CERTIFIED BY:


BENIGNO R. FITIAL
SPEAKER OF THE HOUSE

ATTESTED TO BY:


EVELYN C. FLEMING
HOUSE CLERK

Approved on this 21st day of September, 2004


JUAN N. BABAUTA
GOVERNOR
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS